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AMERICAN ART NEWS

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ART AND BOOK SALE CATALOGS—The American Art News, in
connection with its Bureau of Expertis-
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of all important art and book sales,
with names of buyers and prices, at
small charge for time and labor of
writing up and cost of catalog when
such are de luxe and illustrated.

APPRAISALS—"EXPERTISING"

The "Art News" is not a dealer in
art or literary property but deals with
the dealer and to the advantage of both
owner and dealer. Our Bureau of "Ex-
pertising and Appraisal" has conducted
some most important appraisals.

Art War Relief Book

In the spirit of "a drive," artists are
urged to invite their friends to subscribe
to the Art War Relief's Book of Victory
and Remembrance ("The Defenders of
Democracy"), in order that copies may be
presented in the names of the donors to
the men in the hospitals at Easter. In the
name of Mrs. W. A. Clarke one hundred
copies were sent to France, and a letter
from Gen. Pershing, just received, is most
enthusiastic regarding the appreciation
shown by the men.

"The Defenders of Democracy" is the
only book dedicated to our soldiers, sailors
and nurses. The best writers and artists
of the Allied countries have contributed to
its pages. The cover design—"The Con-
secration of the Sword"—is by William de
Leftwich Dodge, and the frontispiece—
"Allies Day"—a historic scene by Child
Hassam, is exquisitely reproduced in the
original colors.

All profits from the sale of the book will
be used to establish rooms in devastated
towns of Belgium, France and Italy, where
little children who have lost four years of
joy and opportunity may go to read, play,
receive nourishing food, and be brought
back to normal life.

The Easter Flower and Book Mart, 546
Fifth Ave. (N.W. cor 45 St.), was opened
by the Art War Relief to exhibit their
special books.

Schultheis' Uptown Gallery

The Henry Schultheis Co., for many years
located at 142 Fulton St., have opened up-
town galleries at 425-7 Fifth Ave. The new
quarters, handsomely decorated, are ar-
ranged for the holding of exhibitions, and
are to be devoted solely to paintings, as the
print and framing departments will remain
downtown. Mr. William H. Graf, well
known in the art trade, will be associated
with the new galleries.

THE PUZZLING ART TAX

The excellent letter from Mr. Robert
Macbeth, Secretary of the American
Art Dealers' Association, which we
publish elsewhere today, propounding
certain queries as to the interpretation
of the new "Tax on Education" as it
should be generally known—in other
words the 10% tax on all art works
sold, save those disposed of by the
living artist—is an interesting and val-
uable exposition of the anomalies and
inconsistencies of this half baked and
too hastily drawn clause in the new
Revenue bill.

We will be pleased to have answers
to Mr. Macbeth's well thought out
questions and to publish the same for
the enlightenment of our befogged art
dealing and buying readers—and, we
admit, for our own instruction.

One ray of light in the fog that now
envelops the art tax question comes
from Washington, and would seem to
indicate that a report recently made to
the Collector, and by the faction in the
head Tax office, which has seemingly
been the less friendly to any suggestion
of any amendment to the existing rules
governing art taxation, may abrogate
the tax, as at present levied on works
consigned by living artists to dealers or
others.

At present this tax is levied on all
works not produced by and sold di-
rectly by the artist himself.

CORRESPONDENCE

Pertinent Art Tax Queries

Editor AMERICAN ART NEWS,

Dear Sir:

1—The new Revenue bill states that
paintings sold by the artist (living) shall
be tax-exempt. Are pictures owned by the
artist and sold by Museums, out of exhibi-
tions and dealers for the artist's account,
to be considered as sold by the Artist? If
not, shall we not have unequal taxation on
the same thing in different places, and is
this not prohibited by the Constitution?

2—That part of the Luxury Tax includ-
ing Jewelry has been officially interpreted
as applying only to the ultimate sale "for
consumption and use," thereby exempting
sales between dealers. Does this same rul-
ing hold good as between dealers in paint-
ings? If not, is there a limit to the num-
ber of times the same painting may be
taxed?

3—If, as often occurs, a dealer buys a
painting directly from the artist, is it sub-
ject to tax when resold? If so, either the
dealer must deduct the amount of the tax
when he buys from the artist in order to
be able to sell at the artist's regular price,
thereby in effect throwing the tax upon the
artist against the intent of the law, or the
practice of direct purchase must be given
up, and the artist cut off from this source
of most ready revenue.

4—If a dealer makes a sale for a private
individual on a commission basis, and a
tax is paid on the selling price, is the in-
dividual also subject to a tax on the amount
such a sale would net him? E. g. If we
sell a painting for Mr. A. for \$1,000 plus
tax, or \$1,100, and remit to him \$1,000, less
commissions of 15% or \$850., does Mr. A.
pay a tax of \$85 on the \$850 which he nets?

5—Suppose we sell a picture valued at
\$1,000, taking in part payment another pic-
ture valued at \$500., is there a tax on the
full \$1,000. valuation, and is there also a
tax on the \$500. picture when it is resold?

6—If we negotiate a sale for a private
individual who is paid direct by the pur-
chaser, we are allowed a commission by
the seller. Is this commission subject to
tax?

7—Are pictures by deceased artists,
owned and sold by the family of the artist,
exempt from tax?

Yours very truly,

Robert Macbeth.

N. Y., April 9, 1919.

The Independent Art Bolsheviks

Editor AMERICAN ART NEWS,

Dear Sir:

The leader in the ART NEWS of Apr. 5 on
he current exhibition of the Society of In-
dependent Artists on the Waldorf-Astoria

Roof Garden is opportune, but I am not so
sure that the "modernist" movement is
near its grave," judging from the nature of
he present revolution in the National Aca-
demy, and the appalling display at the Wal-
dorf. I think it was Lord Randolph Chur-
chill who defined an Independent (in polit-
ics) as a man who cannot be depended
upon, and we may reasonably assume that
the term "independent artist" means one
who cannot be depended upon to produce a
good work of art. Some people go further
in their estimation of this kind of artist. A
few years ago there was a society in Lon-
don known as the A. A. A. which had exhi-
bitions similar to those of the Independents
here. According to the catalog the three
A's were interpreted as Allied Artists' As-
sociation, but after witnessing their exhibi-
tions most people insisted that the letters
meant "Art Asses' Association." It is to
be presumed that this is the kind of exhi-
bition desired by the gentlemen who are
suggesting new rules for the National
Academy shows, for they propose that the
jury consist of representatives of all vari-
eties of painting, who shall each select some
works to be exhibited. This reminds me of
the scheme of government advocated by the
"Amalgamated Society of Arizona Cranks,"
which proposed the election of members of
Congress by the respective sections of soci-
ety, so that, among others, lunatics, mem-
bers of the Bill Sykes fraternity, profes-
sional gamblers, the demi-monde, and even
free-verse poets would all have special rep-
resentatives. We can well imagine the
class of pictures that would be chosen by
the "post-impressionist" and "cubist" mem-
bers of the Academy jury, but imagine as
one will, the conception would not surpass
in lurid art Bolshevism the greater part of
the works now on view at the Waldorf.
Even to criticize them would be to insult
the intelligence of the public, for it would
be something like declaring that deranged
minds are pitiable things.

But there is a pathetic side to the ex-
hibition. Scattered here and there through
this Augean mass are a few delicate blooms
of painting and sculpture struggling for
light and pure air. We are reminded that
there are some Independents who have not
yet qualified for strait-jackets; but alas,
the most fatal diseases are usually the most
infectious.

One is naturally interested to know what
kind of men they are who paint these pictures
and organize these exhibitions. Biograp-
hers like to have painted portraits of the
celebrities of whom they write, and per-
haps the facial angles of the leading Inde-
pendents would explain their pictures. The
drawings of the cave men are far higher
than the Independent artists' pictures, and
suppose we must go back to the Neander-
thal skull to find the type of man who might
properly be regarded as the progenitor of
the "cubist" and "post-impressionist." He
had quite a small brain, and it must have
been his cave pictures that caused his early
death. Can you not therefore spare a page
for a few enlightening photographs? In
any case you might suggest to the Inde-
pendent artists that they cultivate a sense
of proportion, for the institutions for the
blind in New York are not sufficiently nu-
merous to contain all the pictures exhibited.

E. G.

N. Y. April 7, 1919.

Women Artists Dispute.

Editor AMERICAN ART NEWS,

Dear Sir:

I have received an answer to my recent
letter to Mrs. Mottet, published in your
issue of Mar. 29 last, in re the "Accepted
and Not-Hung vs. The Hanging Commit-
tee." To my request to give this reply to
the ART NEWS for publication, on her re-
ferring it to the executive board, the mes-
sage to me was that "the board disapproved
strongly of the publicity I have given the
matter" and "they preferred not to discuss
it further." So I am not at liberty to give
her letter to your journal.

One point, however, there can be no
harm in quoting. "In this exhibition the
H. C. followed the custom that prevails in
all large exhibitions. All the A class, as
designated by the jury, were hung, and the
doubtful class left to the discretion of the
H. C." This must explain the cabalistic
signs upon the backs of my two canvases.
And yet—does it explain them? For a
large and plain A (accepted) is on each
frame—but then—then marks wildly cross
them out and turning from them my eyes
behold two D's (doubtful).

Of course the jury may have changed its
mind, and after having decided on A and
having them so marked mayhap they sent
again and caused D's to be superinscribed,
or else—the H. C. having hung what works
it choose, and a number of canvases still
confronting it did stealthily do the scratch-
ing out and place D's where A's once were.

If the jury changed its mind it would
have been so feminine—and then again—
I wonder! Caroline van H. Bean.

N. Y., Apr. 7, 1919.

OBITUARY

A. B. de St. M. D'Hervilly

A. B. de St. M. D'Hervilly, on the staff of
the Metropolitan Museum for the last
twenty-six years and for the last eight Assis-
tant Curator of Paintings, died suddenly of
heart disease Monday last, as he was prepar-
ing to leave his home, 4 W. 129 St., for the
museum. Mr. D'Hervilly was a member of
a distinguished French family living in Haiti
at the time of the great uprising of the
blacks, when they fled to N. Y. for safety.
Mr. D'Hervilly was born in this city. He
was one of the oldest members of the mu-
seum staff, a man with a charming feeling
for art, and a quaint sense of humor. One
of his talents was skill with the pen and at
one time all of the engrossing done for the
museum was his work.

Mrs. Virginia P. Bacon

Mrs. Virginia Purdy Bacon, youngest
granddaughter of the late Commodore Cor-
nelius Vanderbilt and youngest daughter of
Mrs. Katherine Juliette Vanderbilt Lafitte
of Bordeaux, France, formerly Mrs. Barker,
died in her home, 247 Fifth Ave., Monday
ast of a complication of diseases. She had
hared the apartment with her brother-in-
law, the late Edward R. Bacon and her
husband, the late Walter Rathbone Bacon.
Mrs. Bacon passed her childhood and was
educated in Bordeaux, and continued to
make her home there until her marriage to
the late Walter Rathbone Bacon. For some
years past she had divided her time among
Bordeaux, London and N. Y. Mrs. Bacon
had been active in relief work in the war.
In addition she had donated valuable paint-
ings from the extensive collection of her
brother-in-law to be sold for the benefit
of the Red Cross and other war work
societies.

On Jan. 2, 1918, Mrs. Bacon presented to
the Metropolitan Museum a portrait by Van
Dyck, "The Abbe," from the Murray Scott
collection, as well as an unusual portrait by
Zorn of Mrs. Bacon herself. The Van Dyck
is an unusually good example of the early
Dutch master, and the portrait by Zorn is
said to be the finest ever produced by the
Swedish modern master. It was painted in
1897, in which year Sargent also executed
a portrait of Mrs. Bacon in Spanish costume
for her cousin, Mrs. George Vanderbilt.
This portrait hangs in the late Mr. Vander-
bilt's Biltmore, N. C., home.

Zorn also painted a second portrait of
Mrs. Bacon and a life-size canvas of her
was done by Carriere Belleuse.

Last year Mrs. Bacon ordered made a
umptuous literary catalog, richly illustrated,
of the unusual collection of old pictures,
Oriental porcelains and other art works,
formed by her brother-in-law, the late Ed-
ward R. Bacon, and which he bequeathed
to his brother, her late husband, at his death
our years ago. This catalog, compiled by
Mr. John Getz, is not yet ready for issuance.
It was ordered by Mrs. Bacon as a memorial
to her brother-in-law.

Mrs. Bacon was born in this city. She
was the daughter of Katherine Juliette Van-
derbilt and Smith Barker. Her father died
in her early youth. Her mother was re-
married to Gustave Lafitte. From the time
of the second marriage of her mother Mrs.
Bacon passed her life abroad.

After the marriage Mr. and Mrs. Bacon
made their home on a large estate at Turiff,
Scotland, but visited N. Y. every year. The
start of the war in 1914 found them in this
country and they were unable to return to
Scotland. Mr. Bacon died in November, 1917.

Mrs. Bacon has been ill since Christmas.
She left a sister, Mrs. Schmidt Barker, who
lives abroad, and a nephew, Harold Oakley
Barker of this city. The resemblance of the
name of Mrs. Schmidt Barker's husband to
the first husband of her mother was a co-
incidence. There was no relationship. The
funeral was held Wed. morning last, at St.
Thomas's, and the interment was in the
beautiful Bacon mausoleum at Woodlawn,
which has just been completed.

William J. Riess

William J. Riess, a painter of Western
scenes and Indian life, died suddenly at his
temporary studio in Chicago, March 30 last.
He was born in Berlin, Germany, in 1856,
and was a pupil of the Berlin Art Academy
and Auton von Werner. He went to In-
dianapolis to live in 1884 and is represented
in the John Herron Art Institute by "Wy-
oming Desert." His painting "Mt. Tacoma"
won a gold medal at the San Francisco
Exposition and a silver medal was awarded
his collection of Western paintings at the
same exhibit. He was an ex-president of
the St. Louis (Mo.) Art Association.

A. D. Turner

A. D. Turner, genre and portrait painter,
died suddenly on Tuesday last, in his home
in Albany, N. Y. In early life he was a
frequent exhibitor at the Paris Salon, where
one of his canvases, a study of childhood,
was bought by the Czar of Russia and hung
through his reign in the imperial palace in
Petrograd.